REMARKS

Prior to this Response, claims 1-53 were pending in this application. New claims 54-95 have been added and claim 3 was canceled, leaving claims 1-2 and 4-95 remaining.

The amendments do not introduce new matter within the meaning of 35 U.S.C. §132. Basis for the claim amendments is found throughout the specification and claims. Accordingly, entry of the amendments is respectfully requested.

1. Rejection of Claims 1-3, 6, 11, 15-17 and 20 under 35 U.S.C. §102(b)

The Office Action rejects claims 1-3, 6, 11, 15-17 and 20 under 35 U.S.C. §102(b) as being anticipated by Anmelder (DE 4441201 Al). As the basis for this rejection, in relevant part the Office Action states:

> "Regarding claim 1, Anmelder teaches in figures 1-4 a multifunction field-deployable apparatus comprising: a ring support element [1], the ring support element comprising at least one substantially tubular and inflatable ring, the ring support element defining a vacant center [3]; at least one inflation means [7] for inflating the ring support element; at least two pressure-deformable membranes [2] extending across the vacant center of the ring support element, the membranes and the ring support element • defining at least one inflatable reflector chamber, at least one of the membranes is reflective to electromagnetic radiation; and at least one pressure adjusting or

inflating means [4] for adjusting the pressure within or inflating the reflector chamber."

Applicants respectfully traverse this rejection on the basis that Anmelder fails to teach the claimed subject matter. To constitute anticipation under 35 U.S.C. § 102, all material elements of a claim must be formed in one prior art source. In re Marshall, 577 F.2d 301, 198 USPQ 344 (CCPA 1978); In re Kalm, 378 F.2d 959, 154 USPQ 10 (CCPA 1967). Anmelder's fails to disclose the same subject matter as the present application, and Anmelder does not anticipate the present claims.

Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

2. Rejection of Claims 1-53 under Judicially Created Doctrine of Obviousness-type Double Patenting

The Office Action provisionally rejects claims 1-53 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 and 58-67 of copending Application No. 10/156,814.

Since both of the cited copending applications are subject to outstanding rejections, an obviousness-type double patenting determination at this time is premature. Accordingly, Applicants respectfully request that a consideration of obviousness-type

double patenting be deferred until issuance of a patent on each of the copending applications, or at least until resolution of all other outstanding issues.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw the rejections of remaining claims 1-2 and 4-95 and allow all pending claims presented herein for reconsideration. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned attorney if she/he has any questions or comments.

Respectfully submitted,

NATH & ASSOCIATES PLLC

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By: _____
Harold L. Novick
Registration No. 26,011
Lee C. Heiman
Reg. No. 41,827
Customer No. 20529

NATH & ASSOCIATES PLLC
112 S. West Street
Alexandria, Virginia 22314
Tel: (703) 548-6284
Fax: (703) 683-8396
HLN/LCH ROA.wpd